



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARATHON ASSET MANAGEMENT, LP,

Plaintiff,

-v-

WILMINGTON TRUST, N.A., as
Administrative and Collateral Agent,

Defendant,

ANGELO GORDON & CO., LP, APOLLO
ADVISORS VII, L.P., BROOKFIELD ASSET
MANAGEMENT PRIVATE
INSTITUTIONAL CAPITAL ADVISER
(CANADA), L.P.,

Intervenor Defendants.

Case No. 15-cv-04727 (AT)(AJP)

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and that certain *Stipulation and Consent Order Regarding Limited Objection of Marathon Asset Management, LP to Confirmation of Debtors' Fifth Amended Plan of Reorganization*,¹ the Plaintiff, Marathon Asset Management, LP, hereby gives notice that the above-captioned action is voluntarily dismissed against the Defendant and Intervenor Defendants.

Dated: December 3, 2015

/s/ George W. Shuster, Jr.
George W. Shuster, Jr.

WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, New York 10007
Tel: (212) 230-8800

Counsel for Marathon Asset Management, LP

¹ Docket No. 6932 in *In re Energy Future Holdings Corp., et al.*, Case No. 14-10979 (CSS) (Bankr. D. Del.).

SO ORDERED.

Dated: December 4, 2015
New York, New York

ANALISA TORRES
United States District Judge